

NAGEL RICE, LLP

COUNSELLORS AT LAW

103 EISENHOWER PARKWAY
ROSELAND, NEW JERSEY 07068

(973) 618-0400

FAX: (973) 618-9194

www.nagelrice.com

PLEASE REPLY TO
ROSELAND OFFICE

230 PARK AVENUE
NEW YORK, NY 10169

(212) 551-1465

COUNSEL

HERBERT I. WALDMAN*²
ELLIOTT LOUIS PELLO³

GREG M. KOHN⁴

JACOB W. RADDOK⁵

*CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CIVIL TRIAL ATTORNEY

²CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CRIMINAL TRIAL ATTORNEY

³MEMBER OF N.J. & N.Y. BARS

⁴ADMITTED IN N.Y. ONLY

July 12, 2010

Via ECF

Honorable Michael A Shipp, U.S.M.J.

Frank R. Lautenberg U.S.

Post Office & Courthouse

PO Box 999

Newark, NJ 07101-0999

Re: Pontani, et al. v. Amerihealth Insurance Company of
New Jersey, et al.

Civil Action No.: 2:08-cv-04580 (FSH) (MAS)

Dear Judge Shipp:

We are counsel to Plaintiffs, Peter and Louise Pontani, in the above class action. While the depositions have not been completed, due to several reasons, including the delay in getting claims data from Amerihealth, we nonetheless would like to proceed with the settlement conference. Several weeks ago, we advised Amerihealth and Magellan that we could include in the agreement a provision which requires discovery in order to confirm the claims data and damage amounts.

Respectfully submitted,

s/ *Bruce H. Nagel*

BRUCE H. NAGEL

BHN/lrs

cc: All Counsel (via ECF)